

PATENT

Docket No. _____

COMBINED DECLARATION AND POWER OF ATTORNEY FOR ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL, CONTINUATION OR CONTINUATION-IN-PART APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

OPTICALLY ACTIVE 5H-PYRROLO[3,4-b]PYRAZINE DERIVATIVE, ITS PREPARATION AND
the specification of which PHARMACEUTICAL COMPOSITIONS CONTAINING IT

- a. ☒ is attached hereto
- b. ☐ was filed on _____ as application Serial No. _____ and was amended on _____ (if applicable).

PCT FILED APPLICATION ENTERING NATIONAL STAGE

- c. ☐ was described and claimed in International Application No. _____ filed on _____ and as amended on _____ (if any).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

☐ I hereby claim foreign priority benefits under Title 35, United States Code § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

☐ The attached 35 U.S.C. § 119 claim for priority for the U.S. application(s) listed below forms a part of this declaration.

Country	Application Number	Date of filing (day, month, yr)	Date of issue (day, month, yr)	Priority Claimed
France	91 00490	17/01/91		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
				<input type="checkbox"/> YES <input type="checkbox"/> NO
				<input type="checkbox"/> YES <input type="checkbox"/> NO

Docket No. _____

**ADDITIONAL STATEMENTS FOR
DIVISIONAL, CONTINUATION OR CONTINUATION-IN-PART**

I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s) listed below.

Application Serial No.	Filing Date	Status (patented, pending, abandoned)

☐ In this continuation-in-part application, insofar as the subject matter of any of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following attorneys and/or agents with full power of substitution and revocation, to prosecute this application, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith: Jerome G. Lee (Reg. No. 16,967), John D. Foley (Reg. No. 16,836), John A. Diaz (Reg. No. 19,550), Thomas P. Dowling (Reg. No. 19,221), John C. Vassil (Reg. No. 19,098), Warren H. Rotert (Reg. No. 19,659), Alfred P. Ewert (Reg. No. 19,887), David H. Pfeffer, P.C. (Reg. No. 19,825), Harry C. Marcus (Reg. No. 22,390), Robert E. Paulson (Reg. No. 21,046), Stephen R. Smith (Reg. No. 22,615), Kurt E. Richter (Reg. No. 24,052), J. Robert Dailey (Reg. No. 27,434), Eugene Moroz (Reg. No. 25,237), John F. Sweeney (Reg. No. 27,471), Arnold I. Rady (Reg. No. 26,601), Christopher A. Hughes (Reg. No. 26,914), William S. Feiler (Reg. No. 26,728), Joseph A. Calvaruso (Reg. No. 28,287), James W. Gould (Reg. No. 28,859), Richard C. Komson (Reg. No. 27,913), Israel Blum (Reg. No. 26,710), Bartholomew Verdirame (Reg. No. 28,483), Maria C. H. Lin (Reg. No. 29,323) and Joseph A. DeGirolamo (Reg. No. 28,595) of Morgan & Finnegan whose address is: 345 Park Avenue, New York, New York 10154.

☒ I hereby authorize the U.S. attorneys and/or agents named hereinabove to accept and follow instructions from FREDERICK E. CALVETTI as to any action to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys and/or agents and me. In the event of a change in the person(s) from whom instructions may be taken I will so notify the U.S. attorneys and/or agents named hereinabove.

PATENT

Docket No. _____

I hereby specify the following as the correspondence address to which all communications about this application are to be directed:

SEND CORRESPONDENCE TO:

MORGAN & FINNEGAN, 345 Park Avenue, New York, New York 10154

TELEPHONE: (202) 857-7887

Full name of sole or first inventor Claude COTREL

Inventor's signature* Claude Cotrel

January 13, 1992

date

Residence Paris, France

Citizenship France

Post Office Address 17 avenue du Dr Arnold Netter, 75012 Paris, France

Full name of second joint inventor, if any Gérard ROUSSEL

Inventor's signature* Gérard Roussel

January 13, 1992

date

Residence Soisy sur Seine, France

Citizenship France

Post Office Address 20 ter rue des Carrières, 91450 Soisy sur Seine, France

[] ATTACHED IS ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR SIGNATURE BY THIRD AND SUBSEQUENT INVENTORS FORM.

* Before signing this declaration, each person signing must:

1. Review the declaration and verify the correctness of all information therein; and
2. Review the specification and the claims, including any amendments made to the claims.

After the declaration is signed, the specification and claims are not to be altered.

To the inventor(s):

The following are cited in or pertinent to the declaration attached to the accompanying application:

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Claude Cotrel and Gerard Roussel

Application No.: 09/124,651

Filed: July 29, 1998

For: Optically Active 5H-Pyrrolo[3,4-b]pyrazine Derivative, Its Preparation and
Pharmaceutical Compositions Containing Same



REVOCATION AND APPOINTMENT OF ATTORNEYS

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

Sepracor, Inc., a Delaware Corporation, is the assignee of the above-captioned
Application No.: 09/124,651, ("the '651 application") in accordance with an Assignment
executed by a duly authorized representative (Guillaume Prache) of Rhône-Poulenc Rorer SA,
on November 2, 1999. A true copy of the Assignment is attached hereto.

The '651 application is presently involved in Interference No. 104,423, declared June 30,
1999.

Sepracor, Inc., the assignee of the above-identified application, hereby revokes all
prior powers of attorney and appoints:

John H. Mion, Registration No. 18,879, Thomas J. Macpeak, Registration No. 19,292, Robert J. Seas, Jr., Registration No. 21,092, Darryl Mexic, Registration No. 23,063, Robert V. Sloan, Registration No. 22,775, Peter D. Olexy, Registration No. 24,513, J. Frank Osha, Registration No. 24,625, Waddell A. Biggart, Registration No. 24,861, Robert G. McMorrow, Registration No. 19,093, Louis Gubinsky, Registration No. 24,835, Neil B. Siegel, Registration No. 25,200, David J. Cushing, Registration No. 28,703, John R. Inge, Registration No. 25,916, Joseph J. Ruch, Jr., Registration No. 26,577, Sheldon I. Landsman, Registration No. 25,430, Richard C. Turner, Registration No. 29,710, Howard L. Bernstein, Registration No. 25,665, Alan J. Kasper, Registration No. 25,426, Kenneth J. Burchfiel, Registration No. 31,333, Gordon Kit, Registration No. 30,764, Susan J. Mack, Registration No. 30,951, Frank L. Bernstein, Registration No. 31,484, Mark Boland, Registration No. 32,197, William H. Mandir, Reg. No. 32,156, Brian W. Hannon, Reg. No. 32,778, Abraham J. Rosner, Reg. No. 33,276, Bruce E. Kramer, Reg. No. 33,725; Paul F. Neils, Reg. No. 33,102; Brett S. Sylvester, Reg. No. 32,765; Robert M. Masters, Reg. No. 35,603, George F. Lehnigk, Reg. No. 36,359, John T. Callahan, Reg. No. 32,607 and Steven M. Gruskin, Reg. No. 36,818, Oliver R. Ashe, Jr., Reg. No. 40,491 and Kristina Lee Burgard, Reg. No. 38,398

its attorneys to transact all business in the United States Patent and Trademark Office connected with the above-identified '651 application, and requests that all correspondence about the application and Interference No. 104,423 be addressed to:

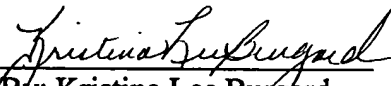
Mark Boland
SUGHRUE, MION, ZINN, MACPEAK & SEAS
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037-3202
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

I hereby certify that, on behalf of Sepracor, Inc., I have reviewed the underlying Assignment attached hereto, and that, to the best of Sepracor, Inc.'s knowledge and belief, title to

the '651 application is in Sepracor Inc. Also, I hereby aver that I have authority to execute this submission on behalf of Sepracor Inc.

Respectfully submitted,

Sepracor Inc.


By: Kristina Lee Burgard
Assistant Secretary &
Vice President, Legal Affairs
Sepracor Inc.

Date: August 15, 2000